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September 27, 2013

George LeVines
Muck Rock News
Dept. MR 5878
P.O. Box 55819
Boston, MA 02205-5819

RE: **Updated Records Request Dated 7/11/13**

Dear Mr. LeVines:

I am in receipt of your revised records request dated July 11, 2013, seeking reconsideration of the denial of your original request dated 5/28/13 for Use of Force (UOF) Reports/Packages from 1/1/2008 to the present. As you know, your earlier request was denied on the basis that the requested information constitutes Criminal Offender Record Information (CORI) concerning identifiable individuals, and accordingly, is prohibited from dissemination by state confidentiality laws. M.G.L. c.6, §167ff; M.G.L. c.4, §7(26)(a), (c). Your later request, dated 7/11/13, asserts that the Department of Correction's (DOC) complete rejection of your request was overly broad, but acknowledges that redactions for inmate privacy purposes are warranted.

Please be advised that the records you seek are manually maintained for the years 2008 through 2010, are voluminous in number, and must be heavily redacted by a DOC paralegal to ensure compliance with state confidentiality laws. There are also costs associated with the search, segregation, redaction and copying of electronically maintained documents for the years 2011 and 2012. A breakdown of estimated costs by year follows:

2008 - 987 Reports (averaging 20 pages each)

Total number of pages: 19,740 (at .20 per page) = \$3,948.00

8 minutes per page for redactions = 2632 hours (19,740 pages x 8 min./pg.), at \$32/hr. for paralegal time = \$84,224.00

Search/segregation/copying time: 15 minutes/report = 247 hours (987 reports x 15 mins./report) at \$18/hr. for institutional staff person time = \$4,446.00

Total for 2008 = \$92,618.00

2009 - 851 Reports (same average at 20 pages per report)

Total number of pages: 17,020 (at .20 per page) = \$3,404.00

Redactions (same as above): 2,270 hours at \$32/hr. = \$72,640.00

Search/segregation/copying (same as above): 212 hours at \$18/hr. = \$3,816.00

Total for 2009 = \$79,860.00

2010 - 794 Reports

Total number of pages 15,880 (at .20 per page) = \$3,176.00

Redactions (same as above): 2,117 hours at \$32/hr. = \$67,744.00

Search/segregation/copying (same as above): 198 hours at \$18/hr. = \$3,564.00

Total for 2010 = \$74,484.00

2011 - 891 Reports (averaging 8 pages each, as technology has now enabled DOC to maintain UOF reports electronically, beginning in 2011)

Total number of pages: 7,128 (at .20 per page) = \$1,425.60

Redactions (same as above): 950 hours at \$32/hr. = \$30,400.00

Printing (5 minutes per report): 74 hours at \$32/hr. for paralegal time = \$2,368.00

Total for 2011 = \$34,193.60

2012 - 825 Reports

Total number of pages: 6,600 (at .20 per page) = \$1,320.00

Redactions (same as above): 880 hours at \$32/hr. = \$28,160.00

Printing (same as above): 69 hours at \$32/hr. = \$2,208.00

Total for 2012 = \$31,688.00

Total for Entire Request = \$312,846.60

These search, segregation, redaction and copying fees are permitted pursuant to 950 CMR 32.06. Accordingly, upon my receipt of a check made to the Commonwealth of Massachusetts in the appropriate amount for the relevant year(s) you wish to pursue, the DOC will begin the process of obtaining the requested information for you.

Please be advised that you may appeal this decision to the Supervisor of Public Records.

Sincerely,

Cara Savelli

Cara Savell

Interim Director of Public Affairs